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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/528,430

09/21/2005

Yoshihaya Imamura

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06/04/2008

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

JONES, DAVID B

ART UNIT

PAPER NUMBER

3725

NOTIFICATION DATE

DELIVERY MODE

06/04/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/528,430	Applicant(s) IMAMURA ET AL.	
	Examiner David B. Jones	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/18/2005, 12/5/2006, 4/13/2007, and 1/2/2008.</u> | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims as a whole appear to be a product of translation from a foreign document and as such contain limitations lacking antecedent basis and positive recitation. The claims should be reviewed and amended into proper claim form. In claim 1, "the outer circumference", "the inner circumference", the circumferential direction", "the axial direction" and the "the central position" all lack antecedent basis. In claim 15, "the central position of the molding face of the metal mold in the axial direction" lacks antecedent basis and is indefinite in nature. In claim 21 "the central position" lacks antecedent basis. All the claims contain like problems and should be reviewed and amended into proper claim form.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 7, 15, 17, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Harvey et al. '907. Harvey teaches (Fig. 9) the claimed invention including a base ring 35 for making a cylindrical ring with beads (see Fig. 10), a metal mold 34, a coil generally at 33 for applying a large current to the base ring and forming the ring into the mold face to form the ring with beads.

Art Unit: 3725

3. Claim 1, 2, 7, 15, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Grosjean et al., Hager, Sommet, Wild, Schultz, or Gere. The recited prior art references all teach forming a ring like member with grooved dies by electromagnetic forming.

Claims 3 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by French Patent document 2,570,303. FR '303 teaches (Fig. 3) the claimed invention including a base ring 5 for making a cylindrical ring with beads (see Fig. 10), a metal mold 8, a coil generally at 10 for applying a large current to the base ring and forming the ring into the mold face to form the ring with beads. Further FR '303 teaches holes 9 communicating with the grooves of the mold.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 98/30354. WO '354 teaches (Fig. 1) the claimed invention including a base ring 22 for making a cylindrical ring with a bead (generally to the shape of 34), a metal mold 30/32 which is separable in the axial direction and with an inherent gap there between, a coil generally at 24 for applying a large current to the base ring and forming the ring into the mold face to form a ring with a bead. Hence WO '354 teaches the claimed invention excepting a plurality of grooves and hence a plurality of mold pieces separable in an axial direction. It would have been obvious to one of ordinary skill in the art at the time

of the invention to have multiplied the die pieces if desired to make more grooves in the final workpiece and to have multiplied the mold pieces to so accomplish that; such a provision would have been a multiplied effect rendering no new or unobvious result to the method or device.

5. Claims 6, 8-14, 19, and 20 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David B. Jones whose telephone number is 571 272 4518.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks Derris, can be reached at 571 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/528,430
Art Unit: 3725

Page 5

/David B. Jones/
Primary Examiner
Art Unit 3725